IN THE HIGH COURT OF CHHATTISGARH AT

BILASPUR

Single Bench

M.C.C. NO. 492 /2006

APPLICANT : Smt. Kodaiya. aged about 54 Yrs. W/o Ganga Singh Sahu, R/o Village Kholwa, Patwari Circle No. 6, P.S./ Tahsil Bhatapara, District Raipur (C.G.)

P.R. No. 2626 Dated 12/9/06 Presented by Shri A. K. Dewangan

VERSUS

NON-APPLICANTS :1. Laxman Sahu, aged about 68 years S/o. Bhagoli, R/o. Village Kholwa, Patwari Circle No.6, P.S./Tahsil Bhatapara, District Raipur (C.G.)

2. State of Chhattisgarh Through: District Collector Raipur (C.G.)

RECEIVED COPY 12/9/06 CLERK to A. G. BILASPUR

APPLICATION UNDER ORDER 41 RULE 19 READ WITH 151 OF C.P.C. FOR RESTORATION OF THE CASE

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक M.C.C. 492 **सन्** 200 6

आदेश पत्रक (पूर्वानुबद्ध)

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आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	24.11.2006 Shri B.L. Dembra, counsel for the applicant. None for respondent No. 1 Shri A.S. Kachhawaha, G.A. for the State/respondent No.2. Heard. On 3.10.2006 notice was directed to be issued to respondent No. 1 and as per office note respondent No. 1 has been served. Learned counsel for the applicant submits that S.A. No. 299/2006 was dismissed by this Court on 6.9.2006 for non-prosecution with liberty to revive. He further submits that in the said appeal Shri B.M. Rao, Advocate comes from Bhatapara and on that date he could not come and he had instructed him to appear on his behalf. He further submits that since he was busy in other Courts, he could also not appear on that date and in the aforesaid circumstance, the appeal was dismissed. An affidavit has been filed in support of this application by Shri B.L. Dembra. For the reasons indicated in the above application, it is allowed and the appeal is restored to its original number provided that the applicant deposits Rs. 500/- with the Secretary, Chhattisgarh High Court Legal Aid Committee. **Sd/-** **Dhirendra Mishra** **Judge**	

P.T.O.